

REMARKS

In response to the Office Action dated September 22, 2005, Applicants submit the following remarks. The one-month extended deadline for filing a response falls on January 22, 2006 (a Sunday). A one-month Petition for Extension of Time and the required fee are filed herewith. Therefore, Applicants believe that this response is being timely filed. In the event that there are any additional fees required in connection with this response, please charge any necessary fee to Deposit Account No. 23-2415. In view of the remarks and amendments submitted herein, Applicants believe that the Application is in condition for allowance and such favorable action is earnestly solicited.

By the above amendments, Applicants have amended the Specification and Claim 54 to expedite prosecution of the subject application.

Amendments

By the above amendments, the Title of the Application has been revised to more closely reflect the subject matter pursued in the Application. As well, the Specification has been revised to include the trademark ROBOCYCLERTM. Independent Claim 54 has been amended to replace the term "ligand" recited in step (3) with the term "molecule." No new matter has been introduced. Entry of the amendments is therefore proper and is respectfully requested.

Objections to the Drawings

The Drawings filed with the Preliminary Amendment of April 7, 2004 were objected to for not including replacement sheets in compliance with 37 CFR 1.121(d). Replacement sheets are submitted herewith. Accordingly, it is believed that the objection has been obviated and withdrawal thereof is respectfully requested.

Objections to the Specification

In response to the objection to the Title of the Application, Applicants have revised the Title to more clearly reflect the currently pursued subject matter. Withdrawal of the objection is respectfully requested.

The Specification was also objected to in connection with the trademark ROBOCYCLERTM. It is believed that the objection has been addressed by the above amendments to the Specification. Withdrawal of the objection is respectfully requested.

Rejection of Claims 54-59 under 35 U.S.C. §112 ¶2

In the Office Action, Claims 54-59 were rejected under 35 U.S.C. §112 ¶2 for alleged indefiniteness. The Examiner requested clarification in connection with the term “ligand” recited in step (3) of Claim 54. By the above amendments, step (3) of Claim 54 has been revised to recite the term “molecule” instead of the term “ligand.” Accordingly, it is believed that the rejection under 35 U.S.C. §112 ¶2 has been obviated. Withdrawal of the rejection is therefore in order and is respectfully requested.

Rejection for Double Patenting

Claims 54-59 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claims 71-77 of US Application No 09/801,676. It is respectfully requested that this rejection be stayed in abeyance until the Office indicates that the Application is otherwise in condition for allowance. At such time, Applicants will submit a Terminal Disclaimer, if appropriate.


CONCLUSION

Applicants respectfully request that subject to the rejection for double patenting discussed above, Claims 54-59 be indicated as allowable. As this response is being filed within a one-month Petition for Extension of Time and the appropriate fee, no fees are believed to be due in connection with this submission. However, if Applicants are incorrect in this assumption, please charge any additional fee due to Deposit Account No. 23-2415, referencing Docket No. 30923-702.306.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (858) 350-2337.

Respectfully submitted,

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Date: January 23, 2006

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